

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

Atty. Docket No. EAT 0201 PUS
First Named Inventor Douglas A. Hughes

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RANGE CONTROL METHOD FOR LEVER SHIFTED COMPOUND TRANSMISSIONS,

the specification of which:

- ☒ [X] is attached hereto; or
☐ [] was filed on (MM/DD/YYYY) _____ as U.S. Application Number or PCT International Application Number _____, and was amended on (MM/DD/YYYY) _____ (if applicable). (I hereby authorize my attorney to insert the application filing date and number when they become known.)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

<i>Prior Foreign Application Number(s)</i>	<i>Country</i>	<i>Foreign Priority Date (MM/DD/YYYY)</i>	<i>Priority Not Claimed</i>	<i>Certified Copy Attached? (Yes/No)</i>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

<i>Application Number(s)</i>	<i>Filing Date (MM/DD/YYYY)</i>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

<i>Application Number(s)</i>	<i>Filing Date (MM/DD/YYYY)</i>	<i>Status: Patented, Pending, Abandoned</i>

Declaration for Patent Application (cont'd.)Atty. Docket No. EAT 0201 PUS

I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Ernie L. Brooks, Reg. No. 26,260; James A. Kushman, Reg. No. 25,634; David R. Syrowik, Reg. No. 27,956; Mark A. Cantor, Reg. No. 30,614; Ralph M. Burton, Reg. No. 17,748; Robert C.J. Tuttle, Reg. No. 27,962; Earl J. LaFontaine, Reg. No. 30,766; Ronald M. Nabozny, Reg. No. 28,648; Thomas A. Lewry, Reg. No. 30,770; John E. Nemazi, Reg. No. 30,876; Kevin J. Heinl, Reg. No. 29,805; William G. Abbatt, Reg. No. 31,936; Donald J. Harrington, Reg. No. 17,427; Robert C. Brandenburg, Reg. No. 29,048; A. Frank Duke, Reg. No. 20,937; John M. Halan, Reg. No. 35,534; Jeffrey M. Szuma, Reg. No. 35,700; James R. Ignatowski, Reg. No. 26,741; Frank A. Angileri, Reg. No. 36,733; William G. Conger, Reg. No. 31,209; Sangeeta G. Shah, Reg. No. 38,614; Robert C. Jones, Reg. No. 35,209; James N. Kallis, Reg. No. 41,102; Michael S. Brodbine, Reg. No. 38,392; Jeremy J. Curcuri, Reg. No. 42,454; Mark D. Chuey, Reg. No. 42,415; Stephanie M. Mansfield, Reg. No. 43,773; Mark E. Stuenkel, Reg. No. 44,364; Matthew R. Mowers, Reg. No. 44,956; Ginta Kukainis, Reg. No. 46,082; Seth E. Rodack, Reg. No. 45,622; Matthew M. Jakubowski, Reg. No. 44,801; Marc Lorelli, Reg. No. 43,759; John S. Le Roy, Reg. No. 48,158; Thomas W. Cunningham, Reg. No. 48,722; Marc F. Malooley, Reg. No. 50,624; James W. Proscia, Reg. No. 47,010; John R. Buser, Reg. No. 51,517; Michael D. Turner, Reg. No. 52,306; Thomas W. Saur, Reg. No. 45,075; Matthew M. Mietzel, Reg. No. 46,929; Rebecca L. Uryga, Reg. No. 53,713; Ann Marie Stinnett, Reg. No. 53,641; Kevin Hinman, Reg. No. 35,193.

Address all correspondence and telephone calls to Kevin Heinl
at Brooks Kushman P.C., 1000 Town Center, Twenty-Second Floor, Southfield, Michigan 48075-1238, (248) 358-4400.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor Douglas A. Hughes

Inventor's signature  Date 9/22/2003

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Residence Same as mailing address Citizenship USA

Full Name of Second Joint Inventor Karen L. Marx

Inventor's signature  Date 9/22/2003

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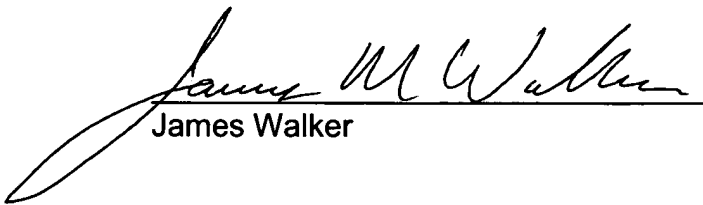
Residence Same as mailing address Citizenship USA

DECLARATION OF JAMES WALKER

James Walker hereby states the following:

1. I am an engineer employed by Eaton Corporation.
2. A prototype truck having a transmission made in accordance with the transmission disclosed in a patent application entitled "Range Control Method for Lever Shifted Compound Transmission" was demonstrated in approximately Spring of 2000 to a representative of Isuzu Motors Ltd. of Japan.
3. No Confidentiality Agreement was in place between Isuzu and Eaton Corporation at the time of the demonstration, but no details relating to the method of controlling the transmission were disclosed to the representative of Isuzu Motors Ltd.
4. The Isuzu representative evaluated the functionality of the prototype vehicle.
5. The purpose of the test was to obtain feedback from the Isuzu representative as to the suitability of the vehicle functionality for the Asian market.
6. The evaluation was performed at an Eaton location, but the truck may have been driven briefly on public roads.
7. Eaton Corporation retained full control of the vehicle.
8. The length of the test period was relatively short lasting several hours at most.
9. No payment was made by either party in conjunction with the demonstration.
10. No offer for sale or sales order was solicited from the Isuzu representative by the Eaton representative.

I declare under penalty of perjury that the foregoing is true and correct.


James Walker

Dated: 8-29-2003

DECLARATION OF DOUGLAS A. HUGHES

Douglas A. Hughes, one of the co-inventors in a patent application entitled "Range Control Method for Lever Shifted Compound Transmission," hereby states the following:

1. I am an engineer employed by Eaton Corporation, assignee of the application.
2. I was involved in the development of a first prototype completed on April 5, 2000 in Detroit, Michigan.
3. The concept was disclosed to Renault VI SA in connection with an Eaton Corporation and Renault VI SA heavy-duty transmission convergence program.
4. Information disclosed by the parties to each other is subject to a Confidentiality Agreement having an effective date of May 1, 2000 (copy attached). In June, 2000 the prototype truck was demonstrated for Renault VI SA under the Confidentiality Agreement.
5. The demonstration was for product development purposes and questionnaires were completed regarding performance of the demonstration truck.

I declare under penalty of perjury that the foregoing is true and correct.



Douglas A. Hughes

Dated: 25 August 2003